

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8225 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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AHMEDABAD DISTRICT COOPERATIVEBANK LIMITED

Versus

STATE OF GUJARAT

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Appearance:

MR HARIN P RAVAL for Petitioner

MR PG DESAI, Govt. Pleader for Respondents.

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CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 28/09/98

ORAL JUDGEMENT

Rule. Service of rule is waived by Mr. P.G.Desai, learned Government Pleader appearing for the respondents. This matter is taken up for final disposal at the first admission stage by consent of the learned advocate for the petitioner as well as the learned Government Pleader appearing for the respondents.

2. It is not in dispute that today itself, the matter is fixed before the concerned authority of the

respondent Government for taking decision under section 80(2) of the Gujarat Cooperative Societies Act, 1961 ("Act" for short). The petitioner has given two applications before the said authority, one is for adjournment so that the petitioner can move the appropriate representation and the second is for supply of particulars - copies of documents, more particularly with regard to the names of the proposed nominees. Under such circumstances, having heard Mr. Raval, the learned advocate for the petitioner as well as Mr. Desai, the learned Government Pleader appearing for the respondent authorities, following directions are issued :

- (1) The concerned authority of the respondents will supply the names of the proposed nominees and supply other particulars, if permissible, and in case, the other particulars are not supplied, some reasons in respect thereof might be stated. Upon that having been done, the petitioner shall be given time of at least one week for giving the petitioner's representation-reply to the show cause notice under section 80(2) of the Act.
- (2) After the representation-reply to the show cause notice is received by the Government, the matter might be fixed for taking appropriate decision after giving information to the petitioner so that the petitioner might be heard on that date. Appropriate decision might be taken in accordance

with law after hearing the petitioner in that regard.

Rule is made absolute only in the aforesaid terms with no order as to cost.

28.9.1998. \*\*\*\*\*

Vyas